

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

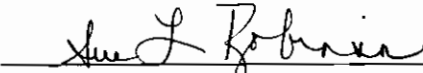
NOVO NORDISK A/S,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 05-645-SLR
)	
SANOFI-AVENTIS, AVENTIS)	
PHARMACEUTICALS INC., and)	
AVENTIS PHARMA DEUTSCHLAND)	
GMBH,)	
)	
Defendants.)	

ORDER

At Wilmington this 12th day of April, 2007, having reviewed defendants' motion for leave to file a second amended answer and counterclaims, and the papers filed in connection therewith;

IT IS ORDERED that said motion (D.I. 101) is granted. Although the motion was filed untimely, the court finds the circumstances exceptional, in that the newly asserted allegations of inequitable conduct relate to prior art known to, but undisclosed by, plaintiff, that is, U.S. Patent No. 6,562,011 ("the '011 patent") which shares the same inventors as the patent at suit, and certain of the prior art references identified therein. The first acknowledgment of the '011 patent by plaintiff was instigated by defendants at the October 2006 deposition of Marc Began, a deposition that was conducted past the deadline for amending pleadings. For these reasons, the court finds just cause in allowing the amendment. If further discovery needs to be conducted in connection with

this pleading, the parties shall contact the court to schedule a telephone conference.



United States District Judge